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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,679	11/30/1999	TSUTOMU ANDO	35.C14073	8002

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EXAMINER

VU, KIEU D

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 05/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/450,679

Applicant(s)

ANDO, TSUTOMU

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1–22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefik et al ("Stefik", EP 0715246 A1).

Regarding claim 1, 11, and 22, Stefik teaches steps for image processing comprising an identifying step of identifying object having copyright-protected information among objects (page 5, lines 15-19) and a display inhibiting step of inhibiting a display of the object identified in said identifying step until a predetermined authenticating process is finished (page 5, lines 57; page 6, lines 43-47). Stefik does not teach that the object is a 3-dimensional object. However, such feature is known in the art as taught by Casalino et al ("Casalino", MPEG-4 Systems, concepts and implementation). Casalino teaches that the object is a 3-dimensional object (page 511, lines 1-4 of section 5.1.1). It would have been obvious to one of ordinary skill in the art, having the teaching of Stefik and Casalino before him at the time the invention was made, to modify the image processing steps taught by Stefik to include the 3-

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dimensional object taught by Casalino with the motivation being to enable the system to process 3-dimensional object.

Regarding claims 2 and 12, Stefik teaches the comprising a reproduction inhibiting step of inhibiting a reproduction of video/audio in the case where said object whose display is inhibited in said display inhibiting step is accompanied with the video/audio (inherent; page 4, lines 44-45; page 3, lines 1-2).

Regarding claims 3 and 13, Stefik teaches that in the case where said object whose display is inhibited in said display inhibiting step is accompanied with the video/audio, synchronizing the display of said object with the reproduction of said video/audio when the inhibition of the display in said display inhibiting step is cancelled (page 9, lines 54-57).

Regarding claims 4 and 14, Stefik teaches steps for image processing method comprising an identifying step of identifying object having copyright-protected information among objects (page 5, lines 15-19), classifying means for classifying the object identified by said identifying means to a first group and classifying the other objects to a second group (page 6, lines 34-37) and a display control means for controlling the display scene on the basis of the group classified by said classifying means (page 6, lines 37). Stefik does not teach that the object is a 3-dimensional object. However, such feature is known in the art as taught by Casalino et al ("Casalino", MPEG-4 Systems, concepts and implementation). Casalino teaches that the object is a 3-dimensional object (page 511, lines 1-4 of section 5.1.1). It would have been obvious to one of ordinary skill in the art, having the teaching of Stefik and Casalino before him at the time the invention was made, to modify the image

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processing steps taught by Stefik to include the 3-dimensional object taught by Casalino with the motivation being to enable the system to process 3-dimensional object.

Regarding claims 5 and 15, Stefik teaches that said classifying means further classifies the object identified by said identifying means and video/audio associated with said object to the first group and classifies the other objects and video/audio associated with said other objects to the second group (page 6, lines 34-37; page 4, lines 44-45).

Regarding claims 6, 16, and 21, Stefik teaches an image processing apparatus comprising receiving means for receiving scene data describing a scene, media data associated with said scene data, and copyright-protected data (page 5, lines 15-19);

separating means for separating all of the data received by said receiving means; access control means for controlling accesses to the scene data and the media data separated by said separating means on the basis of the copyright protected data separated by said separating means (page 6, lines 34-37); media decoding means for decoding the media data separated by said separating means; scene decoding means for forming copyright-protected scene data and copyright-unprotected scene data from the scene data separated by said separating means on the basis of the copyright-protected data separated by said separating means (inherent); and rendering means for rendering the scene on the basis of the media data decoded by said media decoding means and the copyright-protected scene data and the copyright-unprotected scene data formed by said scene decoding means (page 6, lines 34-37). Stefik does not teach that the object is a 3-dimensional object. However, such feature is known in the art as taught by Casalino et al ("Casalino", MPEG-4 Systems, concepts and implementation). Casalino teaches that the object is a 3-dimensional object (page 511, lines 1-4 of section 5.1.1). It would have been obvious to one of ordinary skill in the art,

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having the teaching of Stefik and Casalino before him at the time the invention was made, to modify the image processing steps taught by Stefik to include the 3-dimensional object taught by Casalino with the motivation being to enable the system to process 3-dimensional object.

Regarding claims 7 and 17, Stefik teaches that said copyright-protected scene data describes a scene which is rendered after authentication, and said copyright unprotected scene data describes a scene which is rendered irrespective of the authentication (inherent).

Regarding 8 and 18, Casalino teaches instructing means for giving an instruction for an access timing in said access control means in order to adjust a timing for the rendering by said rendering means (inherent).

Regarding claims 9 and 19, Stefik teaches an image processing apparatus comprising detecting means for detecting a copyright protection node from a language describing a scene (page 2, lines 47-52); identifying means for identifying an object designated by the copyright protection node detected by said detecting means (page 5, lines 15-19); and display inhibiting means for inhibiting a display of the object identified by said identifying means until a predetermined authenticating process is finished (page 5, lines 57; page 6, lines 43-47). Stefik does not teach that the object is a 3-dimensional object. However, such feature is known in the art as taught by Casalino et al ("Casalino", MPEG-4 Systems, concepts and implementation). Casalino teaches that the object is a 3-dimensional object (page 511, lines 1-4 of section 5.1.1). It would have been obvious to one of ordinary skill in the art, having the teaching of Stefik and Casalino before him at the time the invention was made, to modify the image

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processing steps taught by Stefik to include the 3-dimensional object taught by Casalino with the motivation being to enable the system to process 3-dimensional object.

Regarding claims 10 and 20, Casalino teaches that said language is a VRML (page 507, section 3.2).

4. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach about data copyright management systems which relate to the claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Fri from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone number for the organization where this application or proceeding is assigned are as follows:

(703)-746-7238 (After Final Communication)

or

(703)-746-7239 (Official Communications)

(703)-746-7240 (For Status Inquiries, draft communication)

and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for

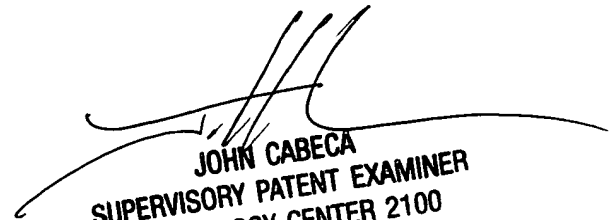
"INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

May 14, 2002



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100